

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

CLERKS OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
3/26/2021

JULIA C. DUDLEY, CLERK  
BY: s/ CARMEN AMOS  
DEPUTY CLERK

SAM D.,<sup>1</sup>

*Plaintiff,*

v.

ANDREW SAUL, Commissioner of Social  
Security,

*Defendant.*

CASE NO. 6:19-cv-72

ORDER

JUDGE NORMAN K. MOON

The parties have filed cross motions for summary judgment, Dkts. 15, 16, which I referred to Magistrate Judge Robert S. Ballou for proposed findings of fact and a recommended disposition. In his Report and Recommendation (“R&R”), the magistrate judge determined that the Commissioner’s final decision was supported by substantial evidence and recommended that this Court deny Sam’s motion and grant the Commissioner’s motion. Dkt. 23. Sam timely filed his objections, Dkt. 24, obligating this Court to undertake a *de novo* review of the Administrative Law Judge’s findings. *See* 28 U.S.C. § 636(b)(1)(C); *Farmer v. McBride*, 177 F. App’x 327, 330 (4th Cir. 2006). After a review of the record in this case and pursuant to this Order’s accompanying Memorandum Opinion, it is **ORDERED** as follows:

1. This case is **REMANDED** to the Commissioner;
2. Sam D.’s objections are **SUSTAINED** in part, Dkt. 24;
3. Sam D.’s motion for summary judgment is **GRANTED** in part, Dkt. 15;
4. Commissioner’s motion for summary judgment is **DENIED**, Dkt. 16;

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<sup>1</sup> This Court adopts the recommendation of the Committee on Court Administration and Case Management of the Judicial Conference of the United States that courts only use the first name and last initial of the claimant in social security opinions.

5. The R&R is **ADOPTED** in part and rejected in part, Dkt. 23;
6. The Clerk is directed to **STRIKE** this case from the active docket.

The Clerk of the Court is hereby directed to send a copy of this Order to all counsel of record and to United States Magistrate Judge Robert S. Ballou.

It is so **ORDERED**.

Entered this 26<sup>th</sup> day of March, 2021.

  
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NORMAN K. MOON  
SENIOR UNITED STATES DISTRICT JUDGE